



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

## Memorandum

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January 23, 2020

**TO:** Joint Technology Committee

**FROM:** Jean Billingsley, Senior Research Analyst, 303-866-2357  
Joint Technology Committee (JTC) Staff

**SUBJECT:** JTC Staff Analysis of JBC-Referred FY 2020-21 Operating Budget Request  
Colorado Department of Labor and Employment  
R-02 My Colorado Journey

### Summary of Request

The Colorado Department of Labor and Employment (CDLE) is requesting \$750,000 General Fund in FY 2020-21 for a new online education and career planning website called *My Colorado Journey*, on behalf of the Colorado Workforce Development Council (CWDC), and a multi-agency task force comprised of CDLE, the Colorado Department of Higher Education (CDHE), and the Colorado Department of Human Services.

### Background

This memorandum responds to a December 4, 2019, letter from the Joint Budget Committee (JBC) requesting that the JTC review the operating budget request since it is a new IT-related state initiative with a cost over \$500,000. The JBC is considering legislation to authorize maintenance and state support for this new website and to clarify related executive branch responsibilities. The JBC also inquired about whether the JTC has recommendations related to or is interested in collaborating with the JBC on this legislation.

The JBC also requests that the JTC review the operating budget request and its:

- privacy and security components;
- potential national and international vendor opportunities to reduce maintenance costs; and
- mobile device functionality.

## Request Details

CWDC was formed under the federal Workforce Investment Act of 1988 and works on policy matters related to programs and activities funded by the federal Workforce Innovation and Opportunity Act.<sup>1</sup>

The *My Colorado Journey* website has been available to the public since July 2019 and has approximately 11,000 users. With the FY 2020-21 budget request, the departments plan to launch an outreach program with a goal to increase website users to 35,000. The website supports high school students, military veterans, adults making career changes, inmates reentering society, and disconnected youth who need assistance with their career, education, or other state resources.

*My Colorado Journey* replaces the *College In Colorado* website, which was federally funded until June 30, 2019. Initial development of *My Colorado Journey* was funded by grants. Although the budget request does not identify out-year funding, the JBC understands that ongoing funding of up to \$1.5 million per year will be required from undetermined sources. The FY 2020-21 appropriation will be used to create website training materials, digital media campaigns, and webinars, along with providing funding for five full-time staff: a director/project manager, outreach director, and three field contractors. The departments are also planning a “Day at the Capitol” event.

## JTC Staff Analysis

Given the expected long-term nature of the website and the complexity associated with its development in future years, it is difficult to identify all the change requests that may arise among the various stakeholders, including the state, students, parents, citizens, and vendors. JTC staff recommends that the departments continue to actively reach out to these stakeholders to ensure the website is meeting the needs of the stakeholders, including data privacy requirements and IT security controls. Considering potential changes in technology, state policies, vendors, and citizen needs, staff recommends recurring website assessments and contract reviews during the website development.

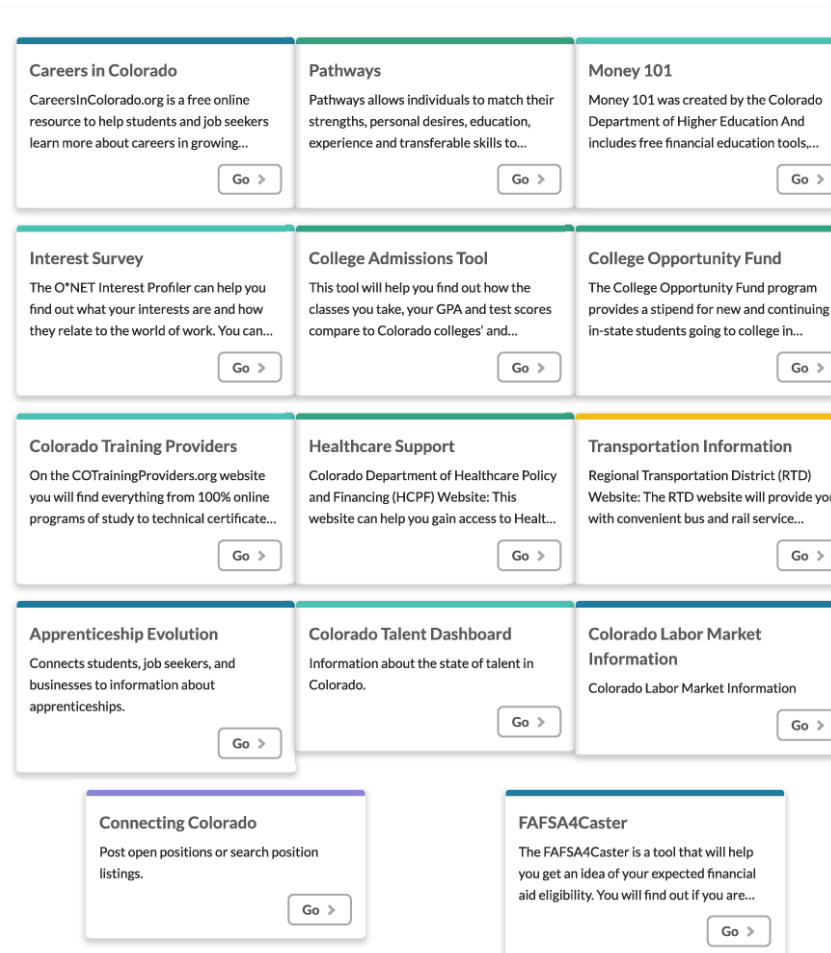
Users of the website benefit from the relationship and expertise of the CWDC, the contributing state departments, and the expertise of the vendors. This relationship leverages private sector technology and innovation to provide better public services and improved operational efficiencies. Additionally, many private and public sector organizations appreciate the value of data, particularly in using aggregated data for trend analysis to evaluate outcomes and assess changes. For example, *My Colorado Journey* has the potential to provide parents, educators, and other stakeholders the opportunity to assess options in education, career planning, and public assistance.

In detail, some of the vendors specialize in data. One of the vendors explains on its website that it is a social enterprise company that uses behavioral mapping to make the hiring process faster, easier, and more predictable by allowing companies to hire based on their top performers and identifying the soft skills that need development. Another vendor provides organizations the ability to dynamically share data using a data trust instead of using a traditional architecture design. These data trust agreements allow data to be integrated from other resources (Figure 1).

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<sup>1</sup>Colorado Workforce Development Council, *The Council*, <<https://www.colorado.gov/pacific/cwdc/council-0>>, accessed on December 6, 2019.

**Figure 1**  
**Website Links to External Resources**



Source: *My Colorado Journey*.

**IT security and data privacy.** The *My Colorado Journey* website is owned by the vendor, including the *My Colorado Journey* name, logo, and domain. The state purchases licenses for use of the website and may submit task orders to make changes at an additional cost. Although *My Colorado Journey* is maintained by the vendor in a public cloud, the contract stipulates that the website code is held by a third-party in escrow. The department explains that it used a master task order contract template and obtained recommendations from a central contracts specialist. The department further explains that it did not request a review from the Governor's Office of Information Technology (OIT) contract experts or the OIT Chief Information Security Office (CISO) because the CDHE is exempt from OIT contract reviews. The department also says that it has not, and does not plan to engage OIT on this project. Instead, the department may rely solely on the technical expertise of the vendors. JTC staff recommends that the state continue to assess the security controls and threats based on best practices and standards for cloud solutions.

Even though the website offers links to external resources without the need to create an account, the user must agree to the online privacy terms. However, with an account, the user's customized profile is created and actions tracked over time, including in a future release, the ability to access previously created records in the legacy *College In Colorado* website. The online privacy terms state that *My Colorado Journey* will collect user personally identifying information (PII), such as: name, address, date of birth,

gender, ethnicity, graduation year, email address, grade-point-average, local student number, and state student ID. While the online privacy terms state that the vendors will retain the users PII in their databases, the contract includes provisions for data privacy, ownership, and IT security. (Additional information about student data privacy legislation is also available from the National Conference of State Legislatures at <https://www.ncsl.org/research/education/student-data-privacy.aspx>.)

**National and international vendor opportunities to reduce maintenance costs.** The Schmidt Futures foundation provided the initial operational funding for *My Colorado Journey* through the *Data for the American Dream* initiative.<sup>2</sup> Three states, including Colorado, were awarded a grant for the initiative's inaugural phases. Colorado is the first state to have a working platform.

**Mobile device functionality.** *My Colorado Journey* employs a mobile device responsive design feature, which is flexible regardless of the type of mobile device. Rather than the website detecting a specific device type, such as a mobile pad or cell phone, the website will automatically orientate the web pages based on the screen size.

## Options for Committee Action

When providing a technical review of an operating budget request, the JTC may:

- recommend the request to the JBC for funding with or without comments; or
- not recommend the request to the JBC for funding with or without comments.

In addition to a recommendation about whether or not to fund the project, the JTC could also consider collaborating with the JBC on legislation to require project review by the Governor's Office of Information Technology (OIT) with specific oversight responsibilities, such as IT security and data privacy.

Other potential legislation to address IT security and privacy could include:

- requiring the Colorado Office of State Auditor (OSA) to assess the IT security and data privacy; or
- requiring that the *My Colorado Journey* leadership team hire an IT security and data privacy expert to assist with decisions about web content, links to external sources, and data management and oversight.

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<sup>2</sup>*Data for the American Dream*, < <http://d4ad.com/faq/> >, accessed on January 15, 2020.